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The Director did not have the opportunity to read this.

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☐ SECRET

# ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM:

Legislative Counsel

EXTENSION

NO.

DATE

25X

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1. Director

Attached are several items of interest which appeared in the 25X  
24 July Congressional Record:

2. Senator Bentsen's citation of Agency figures on Soviet aid to the Portuguese Communists.

3. Senator Church and Tower's remarks on the progress of the SSC since January.

4. Statement on new bill, S. 2170, introduced by Senator Muskie "to assure Congress full and prompt production of information requested from Federal officers." (Note reference to Agency's resistance.)

George L. Cary  
Legislative Counsel

\* As might have been expected Bella Abzug picked up statement. 25X 1A

Approved For Release 2004/08/31 : CIA-RDP77M00144R000400070013-0

July 24, 1975

## CONGRESSIONAL RECORD — SENATE

S 13485

[From the Wilmington Evening Journal,  
July 17, 1975]

## HARD ON PRICE DECISIONS

Earlier this year President Ford proposed that prices of "old" domestic oil be decontrolled from April 1.

This meant that about 60 percent of the domestic oil production would have suddenly become vulnerable to upward price push, to the level of the world market, where prices are fixed by the Organization of Petroleum Exporting Countries, the oil cartel.

It was not an acceptable proposal. The idea that OPEC should be able to set prices for U.S. domestic oil production was unpalatable. The fear that the shock wave generated by the sudden price boost would crush any incipient economic recovery justified.

Now Mr. Ford has come back with a somewhat modified proposal. He wants the decontrol to begin Aug. 1 and he wants it to take effect in stages, over a period of 30 months. And he also wants the price of "new" domestic oil, formerly not under control, to be subject to a ceiling of \$13.50 a barrel, the same as the price of the current imported oil from the Mideast.

The new proposal would not change the cost of the program; it would merely give it in doses rather than in one big gulp. The chances of this medicine being administered, however, appear slim, because the Democrats are vehemently opposed to it. They want to extend the president's current oil price control authority, which is due to expire Aug. 31. The Senate passed the extension Tuesday. House OK is expected.

The prospect that looms is strange. Mr. Ford is willing to go along with the idea that decontrol should be gradual, and the Democrats also want decontrol to be gradual. For the Democrats, however, gradual means not 30 months, which the president has now proposed, but at least 36 and possibly 48 months. So the president might veto the congressional extension and the Congress would reject the presidential proposal.

That would mean expiration of the controls on Sept. 1, and an automatic and quick rise of domestic oil prices to the world prices. Neither side wants this to happen but this is what could happen if they continue the course of confrontation.

If politics is the art of compromise, this is a situation that calls for cries for compromise. Mr. Ford, with a quarter century of experience on Capitol Hill, and members of Congress, who deal in compromise day in and day out, should be able to produce a formula that neither reignites inflation nor hampers efforts at energy independence. If they fail to do that, and if the unintended happens on Sept. 1, they may all find themselves sinking in barrels full of blame and embarrassment.

[From the Wilmington Morning News,  
July 16, 1975]

## BEST WAY TO RAISE PRICES

The political scenario being written in Washington on oil price controls is so fascinating that it is possible to forget that this is a serious economic issue of energy policy.

Basically at stake is not whether the president of the United States or the Congress finally calls the shots, but whether or not Americans should be forced to use less gasoline and other petroleum products by forcing up the prices of oil produced in this country.

But the political game, Ford vs. Congress, will be played out over the next six weeks, and it promises to be a classic.

President Ford's opening serve this week was a promise to send to Congress in the next few days a plan to decontrol "old" oil (from wells opened prior to 1972, now pegged at \$5.25 a barrel) in stages over the next 30

months. The Democratic leadership was ready for him; either house of Congress had the right to reject the president's plan within 5 days after receiving it, and the congressional leadership promised to do just that.

However, if that happened, Mr. Ford had another serve coming. Legislation controlling oil prices expires on Aug. 31; if Congress votes to renew it at the old price ceilings, the president indicates he will veto that legislation. His recent record for having major vetoes sustained is strong. Sustaining this one would leave the country with no oil price control on "old" oil at all, and the price would skyrocket to world market levels immediately, rather than gradually over 30 months, as the president proposes.

The Senate, in the decisive manner characteristic of the federal legislature lately, promptly came up with a delaying action.

It voted yesterday, 62 to 29, to extend the price controls until March 1. That proposal now goes to the House and there are some indications that the president may accept what appears to be simply postponement.

To the consumer of petroleum products, it may look like a choice of hanging quickly or strangling slowly. Does he want the price of gasoline and fuel oil to increase an estimated 7 cents a gallon in one jump in September or gradually by 1977?

The probable answer is that the consumer doesn't want a price increase at all, but he goes on consuming at a rate that soaks up all the domestic oil and continues to make the United States dependent upon foreign oil. That makes President Ford's plan for gradual decontrol the most palatable: It would reduce consumption of gasoline by making it more expensive and, at the same time, stimulate domestic production by giving the producers a greater incentive for increasing production.

The president's plan has the same drawback as his \$3 import tariff on foreign oil. It is a shotgun approach to reducing gasoline consumption, because it applies to all other products based on petroleum, and will inevitably result in more price inflation.

The congressional Democrats might have a pretty good political argument against the Ford plan if the Democrats had any energy plan of their own. As usual, they don't.

Again as usual, the Democratic nonleadership in Congress is making the Republican president and his plan look good by comparison. What's unfortunate for the American public is that Mr. Ford's plan isn't sufficiently fine-tuned to accomplish his laudable purpose of reducing gasoline consumption and increasing oil supplies without inflating the whole price structure. It could be a case of throwing out the baby with the bath oil.

[From Business Week, July 28, 1975]

## FOR DECONTROLLING OIL

Once again, President Ford has locked horns with the leaders of Congress over oil prices. The President is proposing to phase out controls on prices of oil from established wells over a period of 30 months. Key members of Congress want to cut consumer prices by holding the ceiling of \$5.25 a bbl. on old oil and rolling back prices of new oil, which now sells for almost \$13 a bbl. in the U.S.

In this case, the President is basically right. As the U.S. has learned from bitter experience, the longer price controls stay in force, the more distortions they create in the economy. The present system has already produced a bewildering structure of allocations and oil entitlements—which have the effect of subsidizing companies that import. Moreover, by establishing an artificially low price, it encourages wasteful consumption.

As for putting a ceiling on new oil, this inevitably would slow down exploration and

reduce future supplies. That would strengthen the hand of the Organization of Petroleum Exporting Countries, which would be happy to see the U.S. exhaust its oil supplies at bargain prices and become more dependent on foreign crude.

New oil should stay uncontrolled—except by the market, which will set a limit on price rises. Controls on old oil should be phased out, as the President proposes. And a carefully designed windfall-profits tax should be enacted to keep the operators of existing wells from reaping exorbitant returns. Extra earnings plowed back into exploration and development would escape this tax—up to a specified limit—but earnings used to diversify outside the energy industry would not.

The oil industry will have to submit to tight regulation as long as the OPEC cartel continues to manipulate world prices. But the regulation should make the most of market forces instead of trying to hide them with artificial prices.

[From the Christian Science Monitor, July 23, 1975]

## FORD'S HANDLE ON OIL

Democrats in Congress may be winning points with the public in their battle with President Ford over oil prices. But the President is moving in the only logical direction over the long run. Americans, even if reluctantly, must accept the inevitability of higher-cost energy and a change in their living habits.

It was not easy for Mr. Ford to veto still another Democratic bill, this one designed to keep the controls on domestically produced "old oil." The fact that the White House gave little publicity to the veto action suggests the political awkwardness of it. But, given the world's depleting oil resources, the President has no realistic alternative: He must pursue a long-range program that forces consumers to reduce the use of oil, encourages the expansion of domestic production, and gets the U.S. away from growing dependence on foreign supplies.

The decontrol of "old" oil would not necessarily give an impetus to new exploration in the short run because the oil companies are going full steam now. But it would encourage the use of secondary or tertiary recovery methods on old wells, adding perhaps billions of barrels of oil to the domestic supply. Moreover, it would also simplify the petroleum market, which now functions under an unwieldy two-price structure, and it would make alternative sources of energy, like solar heat, more attractive costwise.

The major concern of course is that a de-regulation of prices on "old" oil, which accounts for 60 percent of all domestic production, will trigger sharp increases in fuel costs, and add to inflationary dangers at the very moment the economy is beginning to turn around. Whether the impact would be anywhere as great as Democrats charge is questioned by economists. But, in any event, the intent of the administration is to phase out the controls gradually—and to place a tax on the windfall profits of oil companies that can be rebated to the consumer to offset the economic impact.

There obviously will be a compromise between the White House and the Democratic Congress. Without it, the controls on old oil will expire August 31 and this would produce an immediate and sudden jump in oil prices. Both sides want to avoid this.

But amid the complex political maneuvering now going on one thing stands out: The nation does not yet have a solid, comprehensive energy program that is understood and supported by the American public. Recession has put the energy question on the back burner, the politicians in Congress don't want to make tough decisions, and an abundance of oil on the market defies all warnings of crisis.

Somehow, there has to be better communication between government and public on this crucial matter. According to the New York Times, Mr. Ford plans to send to Congress another program of oil price decontrol. Perhaps this would be a good occasion for him to go to the nation and explain the ABC's of the energy dilemma. Americans have never lacked an ability to adapt to new conditions—but they need convincing that the time for change is now.

Mr. HARRY F. BYRD, JR. Mr. President, will the Senator from Delaware yield?

Mr. ROTH. I would be happy to yield.

Mr. HARRY F. BYRD, JR. The statement of the Senator from Delaware is a splendid one. And, as the Senator from Delaware suggests, there is no easy or good solution to this serious problem. The only thing we can be sure about is that the President is not able, will not be able, to get everything he wants in this regard; and we can be equally sure Congress will not be able to get everything it wants in this regard.

That being the case, the only logical thing to do, it seems to me, is for both the President and Congress to work out some acceptable compromise. There are many areas for compromise, as the able Senator from Delaware has just pointed out.

Mr. ROTH. I thank the Senator from Virginia. I hope that action will be taken and that it will begin in the Finance Committee today.

Mr. President, I yield back the remainder of my time.

Mr. HELMS. Mr. President, I suggest the absence of a quorum.

Mr. MANSFIELD. Mr. President, will the Senator yield? I ask that I be recognized under my 15 minutes at this time.

Mr. HELMS. Mr. President, I suggest the absence of a quorum out of the time of the Senator from Montana.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CHURCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. The Senator from Idaho is recognized for not to exceed 15 minutes.

#### SENATE RESOLUTION 218—SUBMISSION OF A RESOLUTION AUTHORIZING SUPPLEMENTAL EXPENDITURES FOR INVESTIGATION RELATING TO INTELLIGENCE ACTIVITIES.

(Referred to the Committee on Rules and Administration.)

Mr. CHURCH (for himself, Mr. TOWER, Mr. PHILIP A. HART, Mr. BAKER, Mr. MONDALE, Mr. GOLDWATER, Mr. HUDLESTON, Mr. MATHIAS, Mr. MORGAN, Mr. SCHWEIKER, and Mr. GARY W. HART) submitted the following resolution:

S. RES. 218

Resolved, That Senate Resolution 21, Ninety-fourth Congress, agreed to January 27,

1975, as amended by Senate Resolution 165, Ninety-fourth Congress, agreed to June 6, 1975, is amended (1) by striking out in section 5 "September 1, 1975", and inserting in lieu thereof "February 29, 1976", and (2) by inserting after the first sentence in section 6 a new sentence as follows: "The expenses of the select committee from September 2, 1975, through February 29, 1976, under this resolution shall not exceed \$1,250,000.00 of which amount not to exceed \$300,000.00 shall be available for the procurement of the services of individual consultants or organizations thereof."

Mr. CHURCH. Mr. President, I rise today to comment on the progress that the Senate Select Committee on Intelligence Activities has made since it was created on January 27, 1975, with the passage of Senate Resolution 21. This resolution called upon the committee "to conduct an investigation and study of governmental operations with respect to intelligence activities, and of the extent, if any, to which illegal, improper, or unethical activities were engaged in by any agency of the Federal Government or by any persons, acting individually or in combination with others, with respect to any intelligence activity carried out by or on behalf of the Federal Government."

To date, there have been 35 hearings of the full committee. Over 275 persons have been interviewed, and some 80 studies on various aspects of intelligence operations are underway. These studies, when completed, will comprise the most thorough review ever made of the intelligence agencies of the U.S. Government. The purpose of this broad systematic study is to give Congress, for the first time, an authoritative basis for evaluating the past and present intelligence system of the United States. Most important, it will provide Congress with the factual background necessary to make the judgments required to give new statutory direction to the intelligence community in the future.

The Select Committee will soon finish its investigation of assassinations. It is our hope to report on this phase of the investigation as soon as possible.

Through a series of outside events, the burden of examining the charges that the U.S. Government has been involved in assassination attempts has fallen squarely upon the Select Committee. The President's Commission, chaired by Vice President ROCKEFELLER, reported it was not able to complete its investigation on assassinations, and, at the President's direction, the White House turned over to the committee the files of the Commission. The committee has risen to its responsibility. Although political assassination is a grim subject, the inquiry is one that the committee has had to conduct. To do otherwise would have ignored charges of extreme transgressions against civilized behaviour, which could only have further eroded confidence in the worthy purposes of the United States.

Senate Resolution 21 calls for a thorough investigation not only of alleged abuses and unethical conduct, as charged by the press in recent months, but, more importantly, for the first in-depth review since the end of World War II of the intelligence activities of the U.S. Government. An earlier investigation, somewhat comparable in scope and

importance to that given the Select Committee, comes to mind. That inquiry, the investigation of the Pearl Harbor attack, was conducted under the leadership of then Senator Alben Barkley in 1946. It serves as a useful precedent for the present investigation of the Select Committee. Senator Barkley's Pearl Harbor inquiry was successful because the members of the committee and its staff were given access necessary to complete their inquiry into the files and records of the Executive Departments. There was full cooperation. The Barkley Pearl Harbor investigation could not have succeeded had there been resistance on the part of the executive branch. Without question, President Truman's full support made the successful inquiry possible.

It is the hope of the Select Committee that it will be afforded similar access to information through the same kind of cooperation. Thus far, however, the response to requests for records and documentation has been slow and procedural delays have hampered the committee's progress.

The work of the Select Committee has been planned with care, with a deep sense of the importance of the issues before it, and with an awareness of the fragility of the agencies under study. A staff of high quality has been assembled. It is composed of men and women with deep practical knowledge of the activities of the agencies under investigation and of the law. It includes a distinguished ambassador and noted scientists. It is complemented by consultants who are outstanding lawyers and experts of proven ability.

The members of the committee have worked hard. The hearing schedule has been extensive and the time required for briefings and meetings has required sacrifices on the part of members of the committee. It has been a pleasure for me to work with such a dedicated and able group of colleagues. Although the members of the committee represent the entire spectrum of views within the Senate, every vote taken within the committee has been unanimous. I have every expectation that his bipartisan, harmonious, and close working relationship will continue.

The support of the leadership has been most helpful to the work of the committee. Further, the assistance the select committee has received from standing committees, the Foreign Relations Committee, the Armed Services Committee, the Appropriations Committee, the Rules Committee, and the Joint Atomic Energy Committee, and their staffs is most appreciated by the select committee.

To date, there have been no leaks from the committee. Such leaks as have occurred have come from other parts of the Government. The physical security precautions undertaken by the committee have been acceptable to the intelligence agencies themselves. Further, every member of the staff has been cleared following the most intensive background investigation. The rules of the committee, together with the conduct of the members and staff, are evidence of our intention to conduct a dis-

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creeet, thorough, honest investigation, which will do credit to the Senate.

The initial work of the committee has included determining the legal authorities under which the intelligence agencies of the U.S. Government operate. This required submission to the committee of a broad range of documents in the custody of the executive branch. These include National Security Action Memoranda and National Security Council Decision Memoranda. In accord with the committee's lawfully mandated right of inquiry into any matter pertaining to intelligence activities, the entire so-called secret charter of the CIA has been delivered to us.

In compliance with requests made by the committee, the executive branch has also supplied other documents from the National Security Council files and from the departments and agencies concerned, covering the details of many activities undertaken in the past in the intelligence area. The mandate of Senate Resolution 21 is all embracing. It is buttressed by the constitutional guarantee of the legislative right of inquiry, and explicitly provides the committee with the authority to examine any and all intelligence activities of the United States, both foreign and domestic.

I am able to report to the Senate that thus far, although there are serious and troubling delays in sending to the Committee documents that have been requested, and although some persistent denials for access to information remain, and procedural problems have been roadblocks to the work of the committee, cooperation with the executive branch continues. In this regard, despite these obstacles and delays on the part of some departments and agencies, President Ford is to be commended for his cooperation to date and for the respect he has shown for the right of the committee to examine all matters mandated by Senate Resolution 21. It is my hope and expectation that we will not see a reversion to the pattern of previous administrations that attempted to withhold information from lawful inquiries of the Congress.

There can be no action undertaken by the U.S. Government which lies outside of constitutional processes. In the area of examining intelligence agencies under the mandate of Senate Resolution 21, there can be no secret undertakings beyond the committee's reach. The adverse events of recent years have made it necessary to conduct a full and thorough inquiry into the actions of the executive branch. The principle that all actions of the executive branch should be subject to inquiry by the legislature is fundamental to constitutional government. In fact, the abuses so evident in Watergate occurred because improper actions were taken and then concealed on the pretense of "national security." National security was invoked for the political and personal advantage of a few officials who had abused their trust. One of the few redeeming features of the Watergate era is the recognition that there must no longer be any areas of national policy excluded from congressional review. To permit any loopholes would be to en-

danger the very existence of constitutional government.

As chairman, I recognize, as do the members of the select committee, that, with this constitutional power of inquiry, there lies a heavy responsibility. It is the duty to examine these sensitive matters in a manner that will not impair the legitimate work of the agencies under investigation. It is also the responsibility of the select committee to protect the rights of individuals who are under suspicion. It is the intention of the committee, in the conduct of its investigation, to recognize the constitutional rights of all concerned, including those alleged to have been involved in wrongdoing. The select committee has done its utmost to establish congressional procedures to protect the individual rights of every witness. This will continue to be the practice of the committee throughout the course of its inquiry.

We are mindful of the congressional excesses of the McCarthy period, just as we are mindful of the executive abuses of power of the Watergate era which ended less than a year ago. Neither should be permitted to stain our national honor again.

The committee has embarked on its work in a systematic and orderly way. It is our intention to examine the intelligence community from top to bottom, look into its structure, costs, performance, and the problems that lie before it in the future, in order to recommend to the Senate the steps that need to be taken to assure that the United States shall have an efficient and effective intelligence system that operates within the law.

In order for the select committee to fully meet its charge under Senate Resolution 21, it is necessary to request the Senate for an extension of the life of the committee for another 6 months. The delays resulting from slow turnover by the executive branch of documents requested by the committee, and the unexpected requirement to deal with the question of assassinations in depth has set back the select committee timetable by at least 3 months. The task given by the Senate to the select committee is a heavy burden, but what the committee has learned thus far has convinced me and my colleagues that it is vitally important that this inquiry press forward so that the necessary remedial actions that need to be taken will be based on the fullest knowledge and careful judgment.

Accordingly, Mr. President, I send to the desk a resolution which would extend the life of the committee from September 2, 1975, through February 29, 1976, and which would provide additional funds to enable the committee to complete its work through that extended term.

This resolution is cosponsored by Senator TOWER, the vice chairman of the committee, who has given me and the committee the most steadfast support from the beginning of this inquiry. I wish to extend to him my personal appreciation for his efforts.

The resolution is also cosponsored by all other members of the committee. I

send the resolution to the desk and ask that it be appropriately referred.

The ACTING PRESIDENT pro tempore. The resolution will be received.

Mr. CHURCH. Mr. President, I would now like to yield to the distinguished senior Republican member of the committee, the Senator from Texas.

Mr. TOWER. I thank my distinguished colleague, the chairman of the committee, for his generous remarks. I would be remiss if I omitted to say that he has shown a great spirit of cooperation, as demonstrated by his deeds; that he wants the committee to conduct its business in a nonpartisan and objective way.

I believe this committee has been, for the most part, free of any partisan squabble, and I trust that we will be able to continue along that path in the future.

I think the fact that we have thus far avoided much in the way of polarization is due to the very broadminded leadership of the distinguished Senator from Idaho, and I commend him for it.

I remember when the resolution was adopted authorizing the establishment of the committee and setting forth its responsibilities, Senator MANSFIELD, the distinguished majority leader, noted that this would be neither a witch hunt nor a whitewash. I think the committee has acted in that spirit. We do not regard as our principal function to find scapegoats or, indeed, to pinpoint guilt on certain individuals. We are looking into institutional activities that impact on the lives and the fortunes of the general citizenry of the United States.

What we are engaged in is not an adversary proceeding. It is an investigation and a study. Hopefully, at the conclusion of our labors, the result will be legislation or recommendations that can be achieved administratively, that will strengthen, not weaken, the intelligence-gathering capability of the United States, conducted by agencies who operate within the framework of the law and the Constitution, through agencies that respect the rights of the individual citizens of this country.

We certainly need a superb intelligence-gathering capability.

We operate from an open society in this country. The Soviets could find things out about American weapons systems by spending 50 cents for a magazine dealing with weapons technology. To achieve the same kind of information about a comparable weapons system in the Soviet Union we would have to spend perhaps \$4 million or \$5 million.

We operate at a disadvantage in this area, being an open society. But I must say I am willing to accept the disadvantages because I think that we have probably the most open society in this world today.

We must recognize that it does pose certain disadvantages when we are confronted by a powerful potential adversary that maintains clandestine infrastructures throughout the world in virtually every country, and seeks to influence the political and economic affairs of nations all over the globe. I think it would be the last thing in the mind of any member of the committee that we should seriously

undermine and destroy the intelligence-gathering capability of the United States, but we must make certain that that capability, through the various institutions that operate in the intelligence field, must be responsive to public policy and responsive to the proscriptions set forth in the law and in the Constitution.

I hope that the Senate will act speedily to adopt this resolution. I rather suspected earlier in the year when we set a September 1 deadline that perhaps it was not realistic. Not only has it taken time to get the documents that we require from the executive branch, but I think perhaps none of us realized how much material there was to cover and what the physical limitations on us would be in terms of trying to marshal all of this material, reduce it to manageable proportions and then begin to do our work.

I hope the Senate will indulge us this additional time and additional money. It is necessary for us to do our work. I hope by disciplining ourselves and by cooperation from the executive branch we can complete our task in the time that is set forth in this resolution.

Again I commend my distinguished friend from Idaho, the chairman of the committee, for the work that he has done. He has been diligent, he has been dedicated, and I think he is a man of good will.

Mr. CHURCH. Mr. President, I thank the Senator from Texas very much for his remarks this morning and for his generous references to me as the chairman of the committee. I simply wish to associate myself with everything he has said in connection with the importance of its work, and the necessity to request extended time in order that we can fulfill the mandate given to us by the Senate in Senate Resolution 21.

I join the Senator from Texas in expressing the hope that the Senate will act promptly in the consideration and passage of the resolution introduced this morning.

#### QUORUM CALL

Mr. CHURCH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LEAHY). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDER OF PROCEDURE

Mr. ROBERT C. BYRD. What is the next order, Mr. President?

The PRESIDING OFFICER. The next order is for the recognition of the Senator from Kentucky (Mr. FORD) not to exceed 15 minutes.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that I be given control of that time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I yield to the Senator from North Carolina.

#### SENATE RESOLUTION 219—SUBMISSION OF A RESOLUTION RELATING TO TRADE RELATIONS BETWEEN THE UNITED STATES AND ROMANIA

(Order placed on the calendar.)

Mr. HELMS. Mr. President, I ask unanimous consent that it be in order that I submit a resolution, which I send to the desk, and that it be placed directly on the calendar.

The PRESIDING OFFICER. The resolution will be stated by title.

The assistant legislative clerk read as follows:

Mr. HELMS (for himself, Mr. CURTIS, and Mr. THORNDIKE), submits a resolution relating to Section 402(c), (1), and (3) of the Trade Act of 1974 pertaining to termination of any waiver under such Act to the Socialist Republic of Romania.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina? Without objection, the resolution will go to the calendar.

Mr. HELMS. Mr. President, on July 10, the Finance Committee reported the trade agreement between the United States and the Socialist Republic of Romania. This was the first such agreement negotiated pursuant to the Trade Act of 1974, and as such must be approved or disapproved by the Senate within 15 legislative days, a period which will expire approximately on July 31.

In taking this action, the President exercised his option to waive sections 402 and 409 of the act, the sections referring to emigration. In effect, he was certifying to Congress that he was satisfied that the purposes of encouraging freer emigration would be fulfilled, even though the requirements of 402 and 409 were not strictly met. On July 8, administration witnesses reported a dramatic improvement in the number of exit permits issued in the preceding weeks. The Assistant Secretary of State for Eastern European Affairs, Arthur A. Hartman, said:

There are only a few cases of divided family members and dual nationals who have indicated a desire to come permanently to the U.S. . . . Since this Trade Agreement was sent to the Congress we have seen encouraging signs that the Romanians are seeking earnestly to solve the family reunification problems that concern us. They have approved the passport applications of a substantial portion of the several hundred people I referred to earlier who want to join their families in the U.S.

Because section 409 in particular deals specifically with the reunion of very close relatives, I am greatly concerned that the President has waived its requirements at a time when the best that the administration can report is that "a substantial portion" of the problem has been solved. Since Secretary Hartman admits that there are only a few hundred cases to be solved, there is no reason why the Socialist Republic of Romania cannot clear the matter up entirely before the agreement is imple-

mented. We, therefore, should ask the President to certify to Congress that he will terminate—using the authority granted in the act—any waiver so granted when Romania engages in any of the acts of harassment and discrimination described in section 409. In effect, the President would be putting Romania on notice that most-favored-nation status would be withdrawn if the few hundred cases of very close relatives are not cleared up.

The resolution (S. Res. 219) submitted by Mr. HELMS reads as follows:

S. RES. 219

Resolved, that it is the sense of the Senate that the "Agreement on Trade Relations between the United States of America and the Socialist Republic of Romania" signed on April 2, 1975, and the Presidential proclamation of April 24, 1975, implementing such agreement, which would extend most-favored nation status to Romania, should not be approved until the President certifies to Congress that he will use his authority provided in section 402(c)(3) of the Trade Act of 1974 to terminate by Executive order any waiver granted under section 402(c)(1) of such Act to the Socialist Republic of Romania when the Socialist Republic of Romania engages in any act or practice described in paragraph (1), (2), or (3) of section 409(a) of such Act.

Mr. ROBERT C. BYRD. Mr. President, I yield back the remainder of the time allotted to the Senator from Kentucky (Mr. FORD) and I am authorized to yield back the time allotted to the Senator from Montana (Mr. MANSFIELD).

#### ROUTINE MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that there now be a brief period for the transaction of routine morning business for the introduction of statements into the Record and the introduction of bills, resolutions, petitions, and memorials, and for the receipt of committee reports.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Heiting, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore (Mr. METCALF) laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### APPROVAL OF BILL AND JOINT RESOLUTION

A message from the President of the United States announced that on July 19, 1975, he approved and signed the enrolled bill (S. 1462) to amend the Federal Railroad Safety Act of 1970 and the Hazardous Materials Transportation Act